IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 617 OF 2002

M/s.Shrikrishna Homeo Pharmacy
and others. ... Appellants.

V/s.

Amod S. Palsule and others. ... Respondents.

Jaydeep Deo i/b. Mrs.Suhasini Mutalik
for the appellants.

A.V.Anturkar for respondent Nos.1 to 4.

S.D.Deshmukh for respondent No.9.

CORAM: D.B.BHOSALE, J.

DATED: 4th December 2006.

P.C. :

. Leave to add Shri Kirtikumar Mishrilal Bothra as respondent No.9. Amendment to be carried out during the course of the day.

2. Mr.Anturkar, learned counsel for respondent Nos.1 to 4 states that respondent Nos.1 to 4 are the legal representatives of original plaintiff Dr.Shrirang Gopal Palsule and they are the decree holders. On instructions, he states that this appeal may be disposed of as decree has been satisfied and now they have no claim whatsoever against any of the judgment debtors i.e. appellants and respondent Nos.5 to 8 herein.

Statement made is accepted.

3. Mr.Deshmukh, learned counsel appearing for the added respondent No.9, on instruction from his client who is present in the Court, states that respondent No.9 also shall not have any claim whatsoever either against the appellants or respondent Nos.5 to 8 who are the judgment debtors. He also placed on record affidavit of respondent No.9 making such statement. Statement made is accepted. Affidavit is taken on record and marked ‘X’ for identification.

4. In view of the statements made by the learned counsel for respondent No.1 to 4 and the learned counsel for respondent No.9, nothing further survives in this appeal. In view thereof, Mr.Deo, learned counsel for the appellants, on instruction from his clients who are present in the court, states that they have no objection for disposing of the appeal as infructuous. Appeal, accordingly, stands disposed of as infructuous. No order as to costs.

(D.B.BHOSALE, J.)